

Program C: Criminal Law and Medicaid Fraud

Program Authorization: La. Constitution, Article IV, Section 8; R.S. 36:701(D) (authorizing the Criminal Division); R.S. 36:701(E) (authorizing the Investigation Division); R.S. 36:704(D); La. Code of Criminal Procedure, Articles 61, 62, and 67 and Articles 261-280 (extraditions); R.S. 49:257(B); R.S. 13:4448; La. Code of Civil Procedure, Article 1880; R.S. 49:251-252; R.S. 15:1311(B); 42:66(G); 42 Code of Federal Regulations 1007 (authorizing Medicaid Fraud Control Unit); R.S. 22:1241 and 1245 and R.S. 40:1421 and 1422 (authorizing prosecution of cases of insurance fraud referred by the Louisiana Department of Insurance)

PROGRAM DESCRIPTION

The mission of the Criminal Law and Medicaid Fraud Program is to seek justice on behalf of the citizens of the State of Louisiana by the execution of superior, professional, and effective investigation and prosecution of all matters referred to the Department of Justice.

The goals of the Criminal Law and Medicaid Fraud Program are:

1. Provide superior legal and professional services to the State of Louisiana.
2. Develop a working environment that encourages competent individuals to seek career employment in the Criminal Law and Medicaid Fraud Program of the Department of Justice.
3. Improve cooperative working relationships with federal, state, and local agencies and private sector organizations.

The Criminal Law and Medicaid Fraud Program includes two activities (organizationally expressed as divisions): Criminal Division and Investigation Division. The functions of both divisions are supervised by the deputy attorney general and program manager (who is responsible for monitoring the activities of all staff personnel, including the division directors, as well as for the administration and implementation of policy).

The Criminal Division is divided into seven sections: Administrative Section; Prosecution and Technical Services Section; Special Services Section; White Collar Crimes Section; Violent Crime and Drug Unit; Insurance Fraud Unit; and Medicaid Fraud Control Unit.

- The Administrative Section supervises, controls, and coordinates all personnel and functions of the Criminal Division.
- The Prosecution and Technical Services Section prosecutes violations of the criminal laws of the state by conducting or assisting in criminal prosecutions pursuant to the request of a district attorney. This section also serves as advisor to district attorneys, law enforcement, and the legislature; a training agency for law enforcement; and as liaison between various levels of law enforcement within the state.
- The Special Services Section provides legal services to the state in the areas of extradition; appeals and habeas corpus proceedings; serving as amicus curiae in matters pending before the U.S. Supreme Court; and preparation of attorney general opinions concerning matters of law.
- The White Collar Crimes Section specializes in the investigation and prosecution of economic crime, including theft by fraud, investment and financing frauds and Ponzi schemes, insurance fraud, racketeering, money laundering, and other related financial-type crimes. The unit also investigates and prosecutes criminal violations of the state hazardous waste and other related environmental laws.
- The Violent Crime and Drug Unit specializes in violent crimes against the person and narcotics cases of all varieties. Although the Prosecution and Technical Services Section handles some violent offenses and drug cases, the goal of the Violent Crime and Drug Unit is to develop a staff of prosecutors proficient in areas of criminal law that increasingly require specialized training and knowledge.
- The Insurance Fraud Unit prosecutes cases of insurance fraud referred to the Department of Justice by the Department of Insurance.
- The Medicaid Fraud Control Unit investigates and prosecutes individuals and entities defrauding the Medicaid Program or abusing residents in health care facilities. It also initiates recovery of identified overpayments.

The Investigation Division is divided into four sections: Administrative Section, Trial Section, Special Investigations Section, and General Investigations and Government Support. Each section is supervised by the Director of the Investigation Division.

- The Administrative Section supervises, controls, and coordinates all personnel and functions of the Investigation Division. The division also has two investigators assigned to the Cooperative Disability Investigations Pilot Project.
- The Trial Section provides follow-up investigation services for the trial attorneys of the Criminal Division. The investigations are those things deemed necessary by the assistant attorneys general that were not done by the primary investigative agency. These services include locating witnesses who have moved since the offense occurred, running record checks on potential witnesses, providing transportation for victims and witnesses who have none, providing security for victims, witnesses, and assistant attorneys general, procurement of evidence, and witness management during trial.

- The Special Investigations Section provides investigative services in those cases referred to the Louisiana Department of Justice involving white collar crimes or public corruption. Due to the fact that many district attorneys lack personnel with the necessary expertise or wish to avoid becoming embroiled in local politics, this type of crime is an ever-increasing part of the program's caseload. Appropriately, this section is staffed with accountants along with other investigators.
- The General Investigations and Government Support Section provides investigative services in all matters not covered by the two specialized sections described above. Additionally, this section responds to the numerous requests for investigative assistance from any government agency—local, state, or federal.

GENERAL PERFORMANCE INFORMATION: CRIMINAL DIVISION			
PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99
Number of cases opened	227	222	203
Number of cases closed	117	174	169
Number of recusals	253	179	184
Number of requests for assistance	25	43	19
Number of extraditions processed	283	287	248
Number of opinions written	17	28	24
Number of parishes served	30	40	39

GENERAL PERFORMANCE INFORMATION: INVESTIGATION DIVISION			
PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99
Number of criminal investigations initiated	151	264	301
Number of criminal investigations closed	110	128	241
Number of task force/joint investigations conducted	21	83	139
Number of arrests	43	46	113
Number of citizen complaints handled or resolved	391	309	258

GENERAL PERFORMANCE DATA: MEDICAID FRAUD CONTROL UNIT

PERFORMANCE INDICATOR	PRIOR YEAR ACTUAL FY 1996-97	PRIOR YEAR ACTUAL FY 1997-98	PRIOR YEAR ACTUAL FY 1998-99
Number of investigations pending from previous fiscal year	181 ¹	242 ²	258 ³
Number of investigations initiated	177	226	228
Number of investigations closed	99	204	142
Number of prosecutions instituted	56	70	48
Number of prosecutions referred to a district attorney	56	70	48
Number of convictions	48	46	46
Number of prosecutions pending at end of fiscal year	46 ²	54 ³	46 ⁴
Total dollar amount of collections - all sources	\$3,387,730	\$866,863	\$748,797
Dollar amount of criminal court ordered restitution collected	\$604,933	\$711,874	\$315,996
Dollar amount of fines collected	\$133,402	\$40,828	\$41,001
Dollar amount of civil monetary penalty collected	\$718,434	\$22,537	\$353,535
Dollar amount of investigation/prosecution costs collected	\$5,000	\$10,625	\$15,760
Dollar amount of restitution collected administratively	\$1,925,901	\$80,999	\$22,505
Total judgments obtained during fiscal year - all sources	\$3,027,972	\$1,220,986	\$3,346,227
Dollar amount of criminal court ordered restitution	\$2,120,253	\$1,142,158	\$2,944,215
Dollar amount of fines ordered	\$133,552	\$40,828	\$40,694
Dollar amount of civil monetary penalty ordered	\$755,409	\$32,000	\$351,828
Dollar amount of investigation/prosecution costs ordered	\$18,758	\$6,000	\$9,490
Dollar amount of administrative restitution ordered	\$1,925,901	\$84,151	\$24,000
Total judgment balance outstanding at end of fiscal year - all sources	\$12,072,333 ²	\$13,247,543 ³	\$15,734,794 ⁴

¹ As of June 30, 1996.

² As of June 30, 1997.

³ As of June 30, 1998.

⁴ As of June 30, 1999.

Explanatory Note: Monetary figures represent amounts paid to both state and federal governments. Monetary figures reported in FY 1996-97 include approximately \$2 million from national settlement cases.

OBJECTIVES AND PERFORMANCE INDICATORS

Unless otherwise indicated, all objectives are to be accomplished during or by the end of FY 2000-2001. Performance indicators are made up of two parts: name and value. The indicator name describes what is being measured. The indicator value is the numeric value or level achieved within a given measurement period. For budgeting purposes, performance indicator values are shown for the prior fiscal year, the current fiscal year, and alternative funding scenarios (continuation budget level and Executive Budget recommendation level) for the ensuing fiscal year (the fiscal year of the budget document).

The objectives and performance indicators that appear below are associated with program funding in both the Base Executive Budget and Governor's Supplementary Recommendations for FY 2000-01. This supplementary recommendation represents 10.9% of the total funding recommendation for this program. Specific information on program funding is presented in the financial sections that follow performance tables. Specific effects of this funding recommendation on individual objectives and performance indicators have been determined by the budget unit.

1. (SUPPORTING) Through the Criminal Division, to provide 375 hours of professional training for division attorneys.

Strategic Link: This operational objective is related to the program's Strategic Objective I.2: *Make available to district attorneys the services of experienced, competent career prosecutors and support staff in every case referred for prosecution to the Criminal Division by June 30, 2003.*

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Percentage of Criminal Division attorneys receiving 15 continuing legal education (CLE) hours	Not applicable ¹	100%	100%	100%	100%	100%
S	Number of continuing legal education hours and in-house training hours	Not applicable ²	475	Not applicable ²	392 ²	375	375

¹ This was a new performance indicator for FY 1999-00. It did not appear under Act 19 of 1998 and had no FY 1998-99 performance standard.

² This is a new performance indicator that is an aggregate of two performance indicators ("Number of continuing legal education hours" and "Number of in-house training and case staffing hours") that appeared under Act 19 of 1998 and Act 10 of 1999. As a result there is no aggregate performance standard for either of these fiscal years. However, the FY 1998-99 performance standard for "Number of continuing legal education hours" was 236 and the FY 1998-99 performance standard for "Number of in-house training and case staffing hours" was 156. Together, these would have equaled a standard of 392. The FY 1999-00 performance standards for these two indicators remained 236 and 156, for an aggregate performance standard equivalent of 392. Although the value shown for existing performance standard is not a performance standard, it represents the aggregate of two existing (FY 1999-00) standards.

2. (SUPPORTING) Through the Investigation Division, to provide at least 2,010 hours of investigative training.

Strategic Link: This operational objective is related to the program's Strategic Objective IV.1: *To improve the overall efficiency and productivity of Investigation Division employees by enhancing the employees job knowledge, ability and career development by June 30, 2003.*

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Percentage of investigative staff who participated in internal/external training sessions	Not applicable ¹	100%	100%	100%	100%	100%
S	Percentage of investigative staff who participated in firearms qualification sessions	Not applicable ¹	100%	100%	100%	100%	100%
S	Total training hours provided for investigative staff	1,670	2,584	1,954	1,954	2,010	2,010

¹ This was a new performance indicator for FY 1999-00. It did not appear under Act 19 of 1998 and had no FY 1998-99 performance standard.

3. (KEY) To require coordination of effort between investigators and prosecutors to begin within an average of 12 working days of receipt of a case in the Criminal Division.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Average number of working days to begin coordination of effort between investigator and prosecutor	12	8	12 ¹	12 ¹	12	12

¹ Although the FY 1999-00 performance standard for this indicator is 12 days, the actual average achieved by the program in the first quarter of FY 1999-00 was 10 days.

4. (KEY) To require initial contact with victim(s)/witness(es) within an average of 12 working days of initial consultation between assigned attorney and investigator.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Average number of working days for initial contact with victim(s)/witness(es) from date of initial consultation between attorney and investigator	12	9	12 ¹	12 ¹	12	12

¹ Although the FY 1999-00 performance standard for this indicator is 12 days; the actual average achieved by the program in the first quarter of FY 1999-00 was 9 days.

5. (SUPPORTING) As part of the Cooperative Disability Investigations pilot project in the Investigation Division, to require an initial review of all complaints received by the Social Security Investigations Section to determine if they will be accepted or declined to be completed within an average of 14 working days from receipt.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

Explanatory Note: The Cooperative Disability Investigations (CDI) pilot project is an anti-fraud program of the Disability Determination Services to identify and investigate possible violations of social security disability laws through an evaluation and assessment of claimant information, claimant activities, and facilitators of disability services. The project is conducted through an interagency agreement between the Department of Justice and the Department of Social Services, Bureau of Disability Determination Services. The pilot project is totally funded by the federal government and operates under the supervision of the Social Security Administration, Office of Inspector General. As a result of the pilot, the following results were achieved during Federal Fiscal Year 1998-99:

Number of allegations of fraud reviewed	145	
Number of investigations conducted	78	
Savings (from benefits denied that were identified as fraudulent)*	1,900,979	*Savings yielded by 29 investigations

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Average number of working days from receipt of disability case to completion of initial review to accept or decline	Not applicable ¹	Not available ¹	Not applicable ¹	14 ¹	14	14

¹ This performance indicator did not appear under Act 19 of 1998 and has no FY 1998-99 performance standard. In addition, no data were tracked for this indicator during that fiscal year. This performance indicator did not appear under Act 10 of 1999 and does not have a FY 1999-00 performance standard. BA-7 122, which was approved by the Joint Legislative Committee on the Budget on October 29, 1999, added a similar objective to this program for FY 1999-00. However, the performance indicator used in FY 1999-00 is "Percentage of cases reviewed and accepted or declined within 14 days," with a performance standard of 100%.

6. (SUPPORTING) Through the Insurance Fraud Section, to require assignment of a prosecutor within an average of 14 working days after the Department of Insurance (DOI) notifies the Department of Justice that an insurance fraud complaint merits opening an investigation file.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

Explanatory Note: Per Act 1312 of 1999, the Department of Justice provides legal services to the Department of Insurance and the State Police Insurance Fraud Unit in the investigation and prosecution of insurance fraud cases.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Average number of working days after receipt of DOI insurance fraud complaint referral to assignment to a prosecutor	Not applicable ¹	Not available ¹	Not applicable ¹	14 ¹	14	14

¹ This performance indicator did not appear under Act 19 of 1998 and had no FY 1998-99 performance standard. In addition, no data were tracked for this indicator during that fiscal year. This performance indicator did not appear under Act 10 of 1999 and does not have an initial or Act 10 performance standard. The value shown for existing performance standard is an estimate not a standard.

7. (SUPPORTING) Through the Insurance Fraud Section, to require that prosecutors complete an initial review of Louisiana State Police (LSP) Insurance Fraud Unit investigative cases to determine merit within an average of 60 working days from receipt.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

Explanatory Note: Per Act 1312 of 1999, the Department of Justice provides legal services to the Department of Insurance and the State Police Insurance Fraud Unit in the investigation and prosecution of insurance fraud cases.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Average number of working days from receipt of LSP Insurance Fraud Unit investigative cases to completion of initial review to determine merit	Not applicable ¹	Not available ¹	Not applicable ¹	60 ¹	60	60

¹ This performance indicator did not appear under Act 19 of 1998 and had no FY 1998-99 performance standard. In addition, no data were tracked for this indicator during that fiscal year. This performance indicator did not appear under Act 10 of 1999 and does not have an initial or Act 10 performance standard. The value shown for existing performance standard is an estimate not a standard.

8. (SUPPORTING) Through the Insurance Fraud Section, to require that prosecutors make contact with the appropriate prosecutorial authority within an average of 30 working days after merit on an insurance fraud case has been determined.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

Explanatory Note: Per Act 1312 of 1999, the Department of Justice provides legal services to the Department of Insurance and the State Police Insurance Fraud Unit in the investigation and prosecution of insurance fraud cases.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Average number of working days for prosecutors to make contact with appropriate prosecutorial authority after merit on insurance fraud case has been determined	Not applicable ¹	Not available ¹	Not applicable ¹	30 ¹	30	30

¹ This performance indicator did not appear under Act 19 of 1998 and had no FY 1998-99 performance standard. In addition, no data were tracked for this indicator during that fiscal year. This performance indicator did not appear under Act 10 of 1999 and does not have an initial or Act 10 performance standard. The value shown for existing performance standard is an estimate not a standard.

9. (SUPPORTING) To process extradition requests within an average of 5 working days.

Strategic Link: This operational objective is related to the program's Strategic Objective I.1: *To provide prompt, efficient and just resolution of all matters referred to the Criminal Division to promote confidence in the division from law enforcement agencies and district attorneys with whom the division comes into contact, by June 30, 2003.*

Explanatory Note: Extradition requests in this context do not include those cases with problems that are beyond the control of the department. For information on numbers of extradition requests processed by the department, see the program trend table.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
S	Average number of working days to process extradition requests ¹	5	2	Not applicable ²	5 ²	5	5

¹ Average number of working days does not include time during which the Criminal Division is awaiting further documentation from referring jurisdictions. It includes that period of time during which division is actually handling a case, not any time during which the case awaits requested information. For information on numbers of extradition requests processed by the department, see the General Performance Information table on the Criminal Division that precedes Objective 1.

² Although this performance indicator appeared under Act 19 of 1998 and has a FY 1998-99 performance standard, it did not appear under Act 10 of 1999 and has no FY 1999-00 performance standard. The value shown under existing performance standard is an estimate not a standard. For FY 1999-00, the program has a performance indicator entitled "Percentage of extradition requests processed within an average of 5 working days," with a performance standard of 100%. However, for purposes of clarity and consistency, the program is returning to the FY 1998-99 indicator expression.

10. (KEY) Through the Medicaid Fraud Control Unit (MFCU), to provide 20 training programs for state agency personnel and health care providers in the area of prevention and detection of Medicaid fraud and abuse of the infirm.

Strategic Link: This operational objective is related to the program's Strategic Objective III.1: *Make available to District Attorneys the services of specialized prosecution units. . .staffed by experienced, competent attorneys and support staff, by June 30, 2003.*

Explanatory Note: The MFCU is part of a collaborative effort to prevent and combat health care fraud and abuse. Other participants are the Governor's Office of Elderly Affairs, the Department of Health and Hospitals, the American Association of Retired Persons (AARP); the Senior Health Insurance Information Program (SHIIP) in the Department of Insurance; the U.S. Health Care Financing Administration; and area agencies on aging. Louisiana's effort includes the design of a training package and "train the trainer" approach which will enable Louisiana aging network personnel and others to assist beneficiaries understand and identify discrepancies and reporting procedures. The state plans to develop an outreach campaign using printed materials; tracking instruments; training packages and videos, and other educational material. For information on program inputs, outputs, and outcomes, see General Performance Information table in program description.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Number of training programs for state agency personnel and health care providers provided by MFCU	15	27	18	18	20	20

Note: For information on national efforts to prevent Medicaid and Medicare fraud and abuse of the elderly, see the federal Administration on Aging's web page on Anti-Fraud and Abuse Activities (<http://www.aoa.dhhs.gov/ort/default.htm>).

11. (KEY) Through the Medicaid Fraud Control Unit, to initiate 3 additional proactive projects to detect abuse of the infirm and Medicaid fraud.

Strategic Link: This operational objective is related to the program's Strategic Objective III.1: *Make available to District Attorneys the services of specialized prosecution units. .staffed by experienced, competent attorneys and support staff, by June 30, 2003.*

Explanatory Note: For information on program inputs, outputs, and outcomes, see General Performance Information table preceding Objective 1.

LEVEL	PERFORMANCE INDICATOR NAME	PERFORMANCE INDICATOR VALUES					
		YEAREND PERFORMANCE STANDARD FY 1998-1999	ACTUAL YEAREND PERFORMANCE FY 1998-1999	ACT 10 PERFORMANCE STANDARD FY 1999-2000	EXISTING PERFORMANCE STANDARD FY 1999-2000	AT CONTINUATION BUDGET LEVEL FY 2000-2001	AT RECOMMENDED BUDGET LEVEL FY 2000-2001
K	Number of proactive projects to detect abuse of the infirm and Medicaid fraud initiated during fiscal year	2	4	3	3	3	3

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 1998-1999	ACT 10 1999- 2000	EXISTING 1999- 2000	CONTINUATION 2000 - 2001	RECOMMENDED 2000 - 2001	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$2,661,533	\$3,338,655	\$3,367,418	\$3,355,787	\$3,004,886	(\$362,532)
STATE GENERAL FUND BY:						
Interagency Transfers	247,697	286,018	370,647	317,181	409,063	38,416
Fees & Self-gen. Revenues	0	0	0	0	0	0
Statutory Dedications	0	0	168,492	131,242	299,734	131,242
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	884,885	1,151,772	1,151,772	1,312,036	1,266,311	114,539
TOTAL MEANS OF FINANCING	<u>\$3,794,115</u>	<u>\$4,776,445</u>	<u>\$5,058,329</u>	<u>\$5,116,246</u>	<u>\$4,979,994</u>	<u>(\$78,335)</u>
EXPENDITURES & REQUEST:						
Salaries	\$2,417,816	\$2,681,317	\$2,823,079	\$2,940,742	\$3,137,211	\$314,132
Other Compensation	46,319	14,480	66,844	66,844	66,844	0
Related Benefits	418,425	501,406	487,578	503,757	525,022	37,444
Total Operating Expenses	623,562	686,772	647,655	730,881	700,631	52,976
Professional Services	3,831	18,388	27,247	18,756	18,388	(8,859)
Total Other Charges	153,481	334,357	348,835	356,241	355,081	6,246
Total Acq. & Major Repairs	130,681	539,725	657,091	499,025	176,817	(480,274)
TOTAL EXPENDITURES AND REQUEST	<u>\$3,794,115</u>	<u>\$4,776,445</u>	<u>\$5,058,329</u>	<u>\$5,116,246</u>	<u>\$4,979,994</u>	<u>(\$78,335)</u>
AUTHORIZED FULL-TIME EQUIVALENTS: Classified	0	0	0	0	0	0
Unclassified	73	73	77	77	75	(2)
TOTAL	<u>73</u>	<u>73</u>	<u>77</u>	<u>77</u>	<u>75</u>	<u>(2)</u>

The Total Recommended amount above includes \$543,298 of supplementary recommendations for legal services and 15 positions. This item is contingent upon revenue sources subject to Legislative approval and recognition by the Revenue Estimating Conference.

SOURCE OF FUNDING

This program is funded with State General Fund, Interagency Transfers, Statutory Dedications and Federal Funds. Interagency Transfers are derived from various state agencies for investigative and legal services. Statutory Dedications are from the Insurance Fraud Fund for investigation and prosecution of Insurance Fraud cases. Federal Funds are from the Department of Health and Human Services Medicaid Fraud Unit and the U.S. Department of Justice for drug prosecution. (Per R.S. 39.32B. (8), see table below for a listing of expenditures out of each Statutory Dedicated Fund.)

	ACTUAL 1998-1999	ACT 10 1999- 2000	EXISTING 1999- 2000	CONTINUATION 2000 - 2001	RECOMMENDED 2000 - 2001	RECOMMENDED OVER/(UNDER) EXISTING
Insurance Fraud Fund	\$0	\$0	\$168,492	\$131,242	\$299,734	\$131,242

ANALYSIS OF RECOMMENDATION

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$3,338,655	\$4,776,445	73	ACT 10 FISCAL YEAR 1999-2000
			BA-7 TRANSACTIONS:
\$28,763	\$88,475	0	Carryforward BA-7 for Acquisitions and Legal Services
\$0	\$24,917	0	BA-7 for DSS, Disability Determinations: Identifying and investigation of possible violations of Social Security laws
\$0	\$168,492	4	BA-7 for Insurance Fraud Investigation and Prosecution Section
\$3,367,418	\$5,058,329	77	EXISTING OPERATING BUDGET – December 3, 1999
\$103,379	\$133,842	0	Unclassified State Employees Merit Increases for FY 2000-2001
\$295,129	\$499,025	0	Acquisitions & Major Repairs
(\$431,431)	(\$577,475)	0	Non-Recurring Acquisitions & Major Repairs
(\$28,763)	(\$88,475)	0	Non-Recurring Carry Forwards
\$221,184	\$227,430	0	Salary Base Adjustment
(\$113,095)	(\$173,993)	0	Attrition Adjustment
(\$38,983)	(\$38,983)	(3)	Personnel Reductions
(\$192,132)	(\$192,132)	0	Salary Funding from Other Line Items
\$0	\$10,000	0	Other Adjustments - La. Commission On Law Enforcement Specialized Training Grant
\$0	\$26,000	0	Other Adjustments - Cooperative DSS, Disability Investigation Grant
\$0	\$168,492	0	Other Adjustments - Insurance Fraud Investigation and Prosecution Section
\$5,500	\$8,800	0	Other Adjustments - Specialized Data Processing Equipment for the new Human Resource System
\$0	\$6,246	0	Other Adjustments - Correction of Means of Finance (Interagency Transfers) to the anticipated collectable amounts
(\$241,889)	(\$241,889)	0	Other Adjustments - Funding reductions to anticipated levels
\$50,165	\$70,737	0	Other Adjustments - Required Rent (Office Space) increase
\$8,404	\$84,040	1	New And Expanded Adjustments - Juvenile Justice Prosecution Section
\$3,004,886	\$4,979,994	75	TOTAL RECOMMENDED
(\$543,298)	(\$543,298)	(15)	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$2,461,588	\$4,436,696	60	BASE EXECUTIVE BUDGET FISCAL YEAR 2000-2001

			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON SALES TAX RENEWAL

			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$543,298	\$543,298	15	Funding provided for legal services and 15 positions
\$543,298	\$543,298	15	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$3,004,886	\$4,979,994	75	GRAND TOTAL RECOMMENDED

The total means of financing for this program is recommended at 98.5% of the existing operating budget. It represents 78.6% of the total request (\$6,333,861) for this program. Increases have been provided in this program for required rental increases for office space, the Insurance Fraud Investigation Unit, and the Juvenile Justice Prosecution Section. These increases are offset by reductions of operational expenses to anticipated requirements.

PROFESSIONAL SERVICES

\$10,200	Specialized Law Enforcement Training
\$8,188	Educational and other specialized services deemed appropriate and necessary to carry the mission of the Department
\$18,388	TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

\$124,917	Salaries, Related Benefits and Attendant expenses for two Investigators, for the investigation of possible violations to the Social Security laws
\$42,000	Federal Medicaid Indirect Costs
\$22,246	Court Costs, Depositions, Court Reporters, etc. including any other required and deemed necessary and appropriate miscellaneous charges to carry out the mission of the Department
\$165,918	Investigative Services provided to the Department of Labor
\$355,081	TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

\$65,817	Replacement office and computer equipment
\$31,000	Library Reference Materials
\$80,000	Replacement of vehicles
\$176,817	TOTAL ACQUISITIONS AND MAJOR REPAIRS